

## IN THE SUPREME COURT OF THE STATE OF MONTANA

No. DA 08-0499

**ORIGINAL**

STATE OF MONTANA,

Plaintiff and Appellee,

v.

DAVID W. GUNDERSON,

Defendant and Appellant.

**FILED**

JAN 02 2009

*Ed Smith*  
CLERK OF THE SUPREME COURT  
STATE OF MONTANA**NOTICE OF APPEARANCE**

To: Ed Smith, Clerk of Supreme Court

Please note and enter the appearance of Koan Mercer, Assistant Appellate Defender, Office of State Public Defender, Appellate Defender Office, P.O. Box 200145, Helena, Montana, as appointed counsel for the Defendant named above for purposes of this appeal.

Respectfully submitted this 2nd day of January, 2009.

OFFICE OF THE STATE PUBLIC DEFENDER  
Appellate Defender Office  
301 South Park, Room 568  
P.O. Box 200145  
Helena, MT 59620-0145

By: 

KOAN MERCER

Assistant Appellate Defender

**CERTIFICATE OF SERVICE**

I hereby certify that I caused a true and accurate copy of the foregoing

Notice of Appearance to be mailed to:

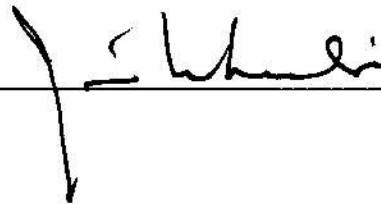
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DAVID W. GUNDERSON 11820  
Montana State Prison  
700 Conley Lake Road  
Deer Lodge, MT 59722

DATED: \_\_\_\_\_

1-2-2009

A handwritten signature in black ink, appearing to read 'J. Wheeler', is written over a horizontal line.